

CHAPTER 122**CONTROLLED SUBSTANCES — AMPHETAMINE***H.F. 666*

AN ACT to increase the penalties for the manufacture, delivery, or possession with intent to manufacture or deliver amphetamine or any substance containing amphetamine.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 124.401, subsection 1, paragraph a, subparagraph (2), subparagraph subdivision (e), Code 1997, is amended to read as follows:

(e) Amphetamine, its salts, isomers, and salts of isomers.

~~(e)~~ (f) Any compound, mixture, or preparation which contains any quantity of any of the substances referred to in subparagraph subdivisions (a) through ~~(d)~~ (e).

Sec. 2. Section 124.401, subsection 1, paragraph b, Code 1997, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (8) More than five grams but not more than five kilograms of amphetamine, its salts, isomers, or salts of isomers, or any compound, mixture, or preparation which contains any quantity of detectable amount of amphetamine, its salts, isomers, and salts of isomers.

Sec. 3. Section 124.401, subsection 1, paragraph c, Code 1997, is amended by adding the following new subparagraph (7) and renumbering the subsequent subparagraph:

NEW SUBPARAGRAPH. (7) Five grams or less of amphetamine, its salts, isomers, or salts of isomers, or any compound, mixture, or preparation which contains any quantity or detectable amount of amphetamine, its salts, isomers, and salts of isomers.

Approved May 6, 1997

CHAPTER 123**PARKING PERMITS — STATEMENT REGARDING HANDICAP***H.F. 692*

AN ACT relating to the criteria for issuance of handicapped special plates and making a civil penalty applicable.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 321.34, subsection 14, Code 1997, is amended to read as follows:

14. **HANDICAPPED SPECIAL PLATES.** An owner referred to in subsection 12 who is a handicapped person, or who is the parent or guardian of a child who resides with the parent or guardian owner and who is a handicapped person, as defined in section 321L.1, may, upon written application to the department, order special registration plates with a handicapped processed emblem designed by the department bearing the international symbol of accessibility. The special registration plates with a handicapped processed emblem shall only be issued if the application is accompanied with a statement from a physician licensed under chapter 148, 149, 150, or 150A, a physician assistant licensed under chapter 148C, an advanced registered nurse practitioner licensed under chapter 152, or a chiropractor licensed under chapter 151, written on the physician's, physician assistant's, nurse

practitioner's, or chiropractor's stationery, stating the nature of the applicant's or the applicant's child's handicap and such additional information as required by rules adopted by the department, including proof of residency of a child who is a handicapped person. If the application is approved by the department the special registration plates with a handicapped processed emblem shall be issued to the applicant. There shall be no fee in addition to the regular annual registration fee for the special registration plates with a handicapped processed emblem. The authorization for special registration plates with a handicapped processed emblem shall not be renewed without the applicant furnishing evidence to the department that the owner of the motor vehicle or the owner's child is still a handicapped person as defined in section 321L.1. An owner who has a child who is a handicapped person shall provide satisfactory evidence to the department that the handicapped child continues to reside with the owner. The registration plates with a handicapped processed emblem shall be surrendered in exchange for regular registration plates as provided in subsection 12 when the owner of the motor vehicle or the owner's child no longer qualifies as a handicapped person as defined in section 321L.1 or when the owner's child who is a handicapped person no longer resides with the owner.

Sec. 2. Section 321L.2, subsection 1, paragraph a, unnumbered paragraph 1, Code 1997, is amended to read as follows:

A handicapped resident of the state desiring a handicapped parking permit shall apply to the department upon an application form furnished by the department providing the applicant's name, address, date of birth, and social security number and shall also provide a statement from a physician licensed under chapter 148, 149, 150, or 150A, a physician assistant licensed under chapter 148C, an advanced registered nurse practitioner licensed under chapter 152, or a chiropractor licensed under chapter 151, or a physician, physician assistant, nurse practitioner, or chiropractor licensed to practice in a contiguous state, written on the physician's, physician assistant's, nurse practitioner's, or chiropractor's stationery, stating the nature of the applicant's handicap and such additional information as required by rules adopted by the department under section 321L.8. If the person is applying for a temporary handicapped parking permit, the physician's, physician assistant's, nurse practitioner's, or chiropractor's statement shall state the period of time during which the person is expected to be handicapped and the period of time for which the permit should be issued, not to exceed six months.

Sec. 3. Section 321L.2, subsection 1, paragraph a, subparagraph (3), Code 1997, is amended to read as follows:

(3) Removable windshield placard. A handicapped person may apply for a temporary removable windshield placard which shall be valid for a period of up to six months, as determined by the physician's, physician assistant's, nurse practitioner's, or chiropractor's statement under this subsection or a removable windshield placard which shall be valid for a period of four years from the date of issuance. A removable windshield placard shall be renewed within thirty days of the date of expiration. To renew the placard, the person shall comply with the requirements for initial issuance of the placard under this section. Persons seeking temporary removable windshield placards shall be required to furnish evidence upon initial application that they are temporarily handicapped and, in addition, furnish evidence at subsequent intervals that they remain temporarily handicapped. Temporary removable windshield placards shall be of a distinctively different color from removable windshield placards. The department shall issue one additional removable windshield placard upon the request of a handicapped person.

Sec. 4. Section 321L.2, subsection 2, Code 1997, is amended to read as follows:

2. Any person providing false information with the intent to defraud on the application for a handicapped parking permit used in establishing proof under subsection 1 is subject to a civil penalty of three hundred dollars which may be imposed by the department. A physician, physician assistant, nurse practitioner, or chiropractor who provides false informa-

tion with the intent to defraud on the physician's, physician assistant's, nurse practitioner's, or chiropractor's statement used in establishing proof under subsection 1 is subject to a civil penalty of three hundred dollars which may be imposed by the department. In addition to the civil penalty, the department shall revoke the permit issued pursuant to this section.

Approved May 6, 1997

CHAPTER 124

BRUCELLOSIS ERADICATION

H.F. 694

AN ACT extending the provisions relating to the eradication of brucellosis to apply to animals other than bovine animals, making penalties applicable, and providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 164.1, Code 1997, is amended to read as follows:

164.1 DEFINITIONS.

As used in this chapter:

1. "Animal" means a nonhuman vertebrate.

2. "Bovine animal" means bison or cattle.

~~3. "Class free state" means there has been no known brucellosis in cattle~~ bovine animals for a period of twelve months. States are A state is classified as class free, class A, class B, and class C, according to guidelines set forth in 9 C.F.R. § 78.1.

~~4. "Condemned" or "reactor" applies to cattle~~ a designated animal reacting to a an official test applied for conducted to determine if a designated animal is infected with brucellosis.

5. "Designated animal" means a bovine animal or any other species of animal that the department by rule determines is capable of carrying and spreading brucellosis, including elk or goats.

~~6. "Official calfhood vaccination" means the vaccination of a female calf of any breed species of bovine animal between the ages of four months and ten months with brucella vaccine approved for that species of bovine animal by the United States department of agriculture, which if the vaccination has been administered by a licensed accredited veterinarian according to the rules established by the department. The officially vaccinated animal shall be identified by an official vaccination tattoo mark, and an official ear tag or owner's purebred identification. The tattoo mark, ear tag or owner's purebred identification shall be described in a certificate furnished by the attending veterinarian.~~

~~Within thirty days following the vaccination, the attending veterinarian shall supply the owner with a certificate of vaccination. The veterinarian shall retain a copy of the certificate and forward a copy to the office of the state veterinarian within the Iowa department of agriculture and land stewardship.~~

4. 7. "Official test" means a test for brucellosis includes all tests approved for a species of designated animal by the department and to the extent applicable by the United States department of agriculture which is conducted under the supervision of, or the authorization from, the department.

~~8. "Owner" includes any person, persons, firm copartnership, association or corporation owning or leasing livestock from another owner~~ a designated animal.